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18	CORY SPENCER, DIANA MILENA REED, and COASTAL PROTECTION RANGERS, INC.				
19	KANOEKS, INC.				
20	UNITED STATES	DISTRICT COURT			
21	CENTRAL DISTRICT OF CAL	IFORNIA, WESTERN DIVISION			
22					
23	CORY SPENCER, an individual;	CASE NO. 2:16-cv-02129-SJO (RAOx)			
24	DIANA MILENA REED, an	PLAINTIFFS' STATEMENT OF			
25	individual; and COASTAL PROTECTION RANGERS, INC., a	GENUINE DISPUTES OF MATERIAI FACT IN OPPOSITION TO			
26	California non-profit public benefit	DEFENDANT MICHAEL PAPAYANS' MOTION FOR			
27	corporation,	SUMMARY JUDGMENT, OR IN THE ALTERNATIVE FOR SUMMARY			
28	Plaintiffs,	ADJUDICATION OF CLAIMS			
20		Case No. 2:16-cv-02129-SJO (RAOx)			
		ERIAL FACT IN OPP. TO DEFT. MICHAEL PAPAYANS E ALT., FOR SUMMARY ADJUD. OF CLAIMS.			

1				
2	V.	т. 1		
3	LUNADA BAY BOYS; THE	Judge: Date:	Septembe	ames Otero er 5, 2017
4	INDIVIDUAL MEMBERS OF THE LUNADA BAY BOYS, including but	Time: Crtrm.:	10:00 a.m 10C	1.
5	not limited to SANG LEE, BRANT			
6	BLAKEMAN, ALAN JOHNSTON AKA JALIAN JOHNSTON,			
7	MICHAEL RAE PAPAYANS,	Complaint Trial Date	t Filed:	March 29, 2016 November 7, 2017
8	ANGELO FERRARA, FRANK			
9	FERRARA, CHARLIE FERRARA, and N. F.; CITY OF PALOS VERDES			
10	ESTATES; CHIEF OF POLICE JEFF			
11	KEPLEY, in his representative capacity; and DOES 1-10,			
11				
12 13	Defendants.			
13 14	Plaintiffs Cory Spencer Diana Mile	ena Reed ar	nd Coastal	Protection Rangers
				C A
15				
16	Disputes of Material Fact in Opposition to Defendant Michael Papayans			
17	("Defendant") in opposition to Defendant's Motion for Summary Judgment, or in			y Judgment, or m
18				
19	As a preliminary matter, Plaintiffs object to Defendant Michael Papayans'			
20	Statement of Uncontroverted Facts & Conclusions of Law ("Separate Statement")			
21	on the grounds that it does not comply with Judge Otero's Standing Order.			
22	Specifically, Plaintiff's Separate Statement does not comply with the requirement			
23	that it be prepared in a two-column format. Nor does it separate the statements of			the statements of
24	undisputed facts in support of each claim	undisputed facts in support of each claim for relief. As a result, it is unclear which		
25	allegedly undisputed facts support which	claim for rel	ief. On th	is basis alone
26	Defendant Papayans' Motion for Summary	y Judgment	should be	denied.
27				
28				
	PLTFS.' STMT. OF GENUINE DISPUTES OF MATE	-2- rial fact in		o. 2:16-cv-02129-SJO (RAOx) T. MICHAEL PAPAYANS

MOT. FOR SUMM. JUDGMENT OR, IN THE ALT., FOR SUMMARY ADJUD. OF CLAIMS

1	Defendant's Statement of Uncontroverted Facts and Evidence	Plaintiffs' Response in Opposition
2	in Support	
3	1. Plaintiff Corey Spencer did not	1. Disputed. The evidence does not
4	see Defendant Michael Papayans at	support the UMF. Plaintiff Spencer
5	Lunada Bay.	did not testify that he did not see
6		Defendant Michael Papayans at
7	[Decl. of Peter T. Haven ("Haven	Lunada Bay. He testified that he did
8	Decl."), ¶ 3, Exhibit 1, Depo. of	not recall seeing him. Spencer Depo.,
9	Plaintiff Cory Eldon Spencer ("Spencer	323:7-16.
10	Depo."), 323:7-16, 324:18-23.]	
11	2. Spencer does not know if	2. Undisputed, but immaterial.
12	Papayans was at Lunada Bay when	
13	Spencer was at Lunada Bay.	
14		
15	[Haven Decl., ¶ 3, Exhibit 1, Spencer	
16	Depo., 324:18-23.]	
17	3. Plaintiff Diana Reed did not see	3. Disputed. The evidence cited
18	Papayans at Lunada Bay.	does not support the UMF. Plaintiff
19		Reed did not testify that she did not see
20	[Haven Decl., ¶ 4, Exhibit 2, Deposition	Papayans at Lunada Bay. She testified
21	of Diana Milena Reed ("Reed Depo."),	that she did not remember personally
22	370:18 – 371:2.]	seeing him. Reed Dep. 370:18-371:2.
23	4. Reed has not had a personal	4. Disputed in Part. Plaintiff Reed
24	encounter with Papayans.	testified that she did not have a
25		personal encounter with Papayans.
26	[Haven Decl., ¶ 4, Exhibit 2, Reed	However, she did testify that he was
27	Depo., 372:1-5.]	involved in the organization of the Bay
28		1

1	Defendant's Statement of	Disintiffe! Degrange in Annexition
1 2	Uncontroverted Facts and Evidence in Support	Plaintiffs' Response in Opposition
3		Boys and organized the harassment and
4		violence that she experienced at
5		Lunada Bay, and was present on
6		February 5, 2016 when she was
7		harassed. Reed Dep. 371:3-12.
8		1
9		
10	Defendant's Conclusions of Law	Plaintiffs' Response in Opposition
11	1. Plaintiffs Corey Spencer, Diana	1. Disputed.
12	Reed, and Coastal Protection Rangers,	
13	Inc. (collectively "Plaintiffs") do not	
14	have evidence sufficient to prove that	
15	Defendant Papayans committed a	
16	battery upon Plaintiffs.	
17	2. Plaintiffs do not have evidence	2. Disputed.
18	sufficient to prove that Defendant	
19	Papayans committed an assault upon	
20	Plaintiffs.	
21	3. Plaintiffs do not have evidence	3. Disputed.
22	sufficient to prove that Defendant	
23	Papayans was negligent toward	
24	Plaintiffs.	
25		
26		
27		
28		
	PLTFS.' STMT. OF GENUINE DISPUTES OF MATH	-4- Case No. 2:16-cv-02129-SJO (RAOx ERIAL FACT IN OPP. TO DEFT. MICHAEL PAPAYANS
		IE ALT., FOR SUMMARY ADJUD. OF CLAIMS

1 4. Plaintiffs do not have evidence 4. Disputed. 2 sufficient to prove that Defendant 9 3 Papayans committed acts of public 1 4 nuisance against Plaintiffs. 5. Disputed. 5 5. Plaintiffs do not have evidence 5. Disputed. 6 sufficient to prove that Defendant 7 7 Papayans interfered with or attempted to 1 10 interfere with Plaintiffs exercise or 9 9 enjoyment of federal or state 10 10 California's Bane Act, California Civil 12 11 Code § 52.1(b). 6. Disputed. 12 Code § 52.1(b). 13 13 6. Judgment should be entered favor 6. Disputed. 14 of Defendant Papayans forthwith. 15 15 DATED: August 7, 2017 HANSON BRID 17 By: /s/ Samanti 18 9	
3 Papayans committed acts of public nuisance against Plaintiffs. 5 5. Plaintiffs do not have evidence sufficient to prove that Defendant 7 Papayans interfered with or attempted to interfere with Plaintiffs exercise or enjoyment of federal or state 10 constitutional rights in violation of 11 California's Bane Act, California Civil 12 Code § 52.1(b). 13 6. Judgment should be entered favor of Defendant Papayans forthwith. 15 DATED: August 7, 2017 18 By: 19 /s/ Samant. KURT A. FRAN LISA M. POOLE SAMANTHA D. TYSON M. SHO 21 SAMANTHA D. TYSON M. SHO 22 Attorneys for Pla CORY SPENCEL REED, and COA 23 RANGERS, INC	
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22LANDON D. BA23Attorneys for Pla24CORY SPENCEI25REED, and COA25RANGERS, INC	
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28	Case No. 2:16 or 02120 SIO (D & O
-5- PLTFS.' STMT. OF GENUINE DISPUTES OF MATERIAL FACT IN OPP. T MOT. FOR SUMM. JUDGMENT OR, IN THE ALT., FOR SUMMA	Case No. 2:16-cv-02129-SJO (RAO) O DEFT. MICHAEL PAPAYANS
	VADIUD OF CLAIMS